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Clerk
District Court

DEC 13 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

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Attorney for Plaintiff
John (Jack) Angello

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

JOHN (JACK) ANGELLO,

Plaintiff,

v.

NORTHERN MARIANAS COLLEGE,

Defendant.

CIVIL ACTION NO. 03-0014

**PLAINTIFF'S STATEMENT OF
DEFENDANT'S STATED
ADMISSIONS**

COMES NOW Plaintiff, John (Jack) Angello, by and through
counsel of record, Danilo T. Aguilar, to advise the Court of the
Defendant's stated admissions, which were in reply to Plaintiff's
First Request for Admissions, dated February 20, 2005.

The following statements the Northern Marianas College has
admitted, with certain objections, as being factually correct:

1. That Angello has a 1996 Doctor of Education degree
from the University of Southern California.

2. That on 2/4/97 NMC recommended Angello for a Step Increase of salary for performing "above and beyond the call of duty."
3. That NMC appointed Dr. Jack Angello as the Acting Dean of Adult, Continuing and Technical Education on August 18, 1997.
4. That Angello submitted a 6/20/01 memo to NMC and NMC's BOR (Board of Regents), requesting the status of the 3/9/01 grievance/EEO complaint.
5. That NMC/HRO sent a 7/2/01 e-mail to Angello, concerning the 6/20/01 memorandum to the NMC President.
6. That NMC's Special Assistant for BOR Affairs sent a 5/15/02 memo to Angello concerning the 6/20/01 memo from Angello to NMC.
7. That Angello submitted a 6/3/02 memo to NMC's HRO and BOR, concerning the status of the 3/9/01 grievance.
8. That Angello retained an attorney on 6/14/02, concerning the 3/9/01 grievance/EEO complaint.
9. That on 5/30/02 Angello was denied being placed on the eligibility list for the Dean's position (VA#02-023), due to NMC's stating that he had a lack of the required three (3) years of postsecondary teaching experience.
10. That on 7/22/02 Angello was denied being placed on the eligibility list for the President's position (VA#02-021), due to NMC's stating that he had a lack of the required five (5) years of postsecondary teaching experience.
11. That according to an official 2002 NMC/HRO

1 "Qualification Evaluation Worksheet," Angello had
2 6.3 years of postsecondary teaching experience.

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4 12. That on 2/13/02 NMC placed the Technical Trades
5 Department in the Division of Instruction as the
6 Vocational Education Department, with Dr. Jack
7 Angello still the head of the department.

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9 13. That Angello taught at the NMC Adult School in
10 1998/99.

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12 14. That Angello had a grievance hearing on 8/27/02,
13 whereby it was agreed to have Angello meet with
14 President Wright to resolve the issues in a
15 management meeting.

16
17 15. That NMC had approximately ninety students enrolled
18 in vocational courses in the Fall of 2002 on
19 Saipan, Tinian and Rota, including audio/visual
20 classes, construction classes, and automotive
21 service classes.

22
23 16. That Angello, with President Wright's approval and
24 Eric Plinkse's assistance, seek financial
25 assistance for NMC's vocational programs at the
governor's office and legislature.

17
18 17. That on 9/24/02, Angello received \$25,000.00 from
19 the Lt. Governor's Office, in support of "the
20 under-funded Vocational Education Department."

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22 NOTE: NMC stated, after a reasonable inquiry, that it is
23 unable to Admit or Deny the statement "the under-
24 funded Vocational Education Department."

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26 18. That NMC's Board of Regents had a regular meeting
on 9/23/02.

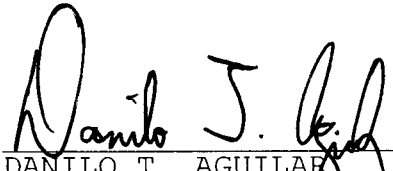
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28 19. That in the BOR regular meeting on 9/23/03, the BOR
29 did not announce any personnel items of business
for the executive session prior to going into the
9/23/02 executive session.

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20. That the BOR acknowledged the list of eleven terminated individuals, including Angello, during the executive session on 9/23/02.
 21. That the same individuals on the list of eleven terminations, including Angello, which was passed around in the BOR executive session on 9/23/02, were the same individuals terminated on 9/24/02.
 22. That Angello still had a pending grievance and EEO complaint against NC when he was terminated on 9/23/02.
 23. That NMC had vacancies for NMC instructor positions when Angello was terminated in September of 2002.
 24. That NMC had vacancies for non-faculty staff positions when Angello was terminated in September of 2002.
 25. That from November of 2002 to July of 2004, Angello has applied and has been certified as qualified for the following positions at NMC: President, Vice President for Programs & Services, Dean of Academic Programs & Services, Dean for Student Development, Director for the School of Education, Director for Institutional Effectiveness, Director for the Community Development Institute, Director for Public Relations, Program Manager III for NMI National Occupational Information Coordinating Committee, Principal of the College Lab School, Assistant Principal for the School of Education, School of Education Instructor, Instructor/Program Coordinator III for Tinian Campus, Program Coordinator for Marketing/Public Relations, Administrative Manager II for the Human Performance & Athletics Department, Bookstore Manager, Bookstore Assistant II, Administrative Manager II for Community Development Institute, and Procurement & Property Management Supply Specialist II.
 26. That NMC did not offer any re-assignment to Angello for any open vacancies in September, October, or November of 2002, nor did NMC offer any open instructor vacancies to Angello in September,

1
2 October, or November of 2002.

3 27. That NMC's Barbara Moir knew of Angello's
4 grievances and EEO complaints in the periods of
5 1998-99 and 2001-2002.

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7 Dated this 13th day of December, 2005.
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12 _____
13 DANILO T. AGUILAR
14 Attorney for Plaintiff
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